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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/160,267	09/24/1998	MASAMI TOYAMA	05058/76501	6140

24367 7590 04/08/2003
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EXAMINER

TRAN, DOUGLAS Q

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 04/08/2003

28

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 28

Application Number: 09/160,267
Filing Date: September 24, 1998
Appellant(s): TOYAMA ET AL.

Douglas A. Sorensen
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 1/14/03

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(1) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(2) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(3) Summary of Invention

The summary of invention contained in the brief is correct.

(4) Issues

The appellant's statement of the issues in the brief is correct.

(5) Grouping of Claims

Appellant's brief includes a statement that claims do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

Claims of Issue No. 1 considered in eight groups: (1) claims 1-12 which stand or fall together; (2) claims 14-25; (3) claim 33; (4) claim 34; (5) claims 35 and 36; (6) claim 37; (7) claim 38; and (8) claim 39.

(6) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(7) Prior Art of Record

5,602,625	Okamoto et al.	2-1997
5,987,535	Knodt et al.	11-1999
5,999,708	Kajita	12-1999

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(8) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

This rejection is set forth in prior Office Action, Paper No. 22.

Claims 1, 4-6, 9, 14, 17-19, 22, 33-36, and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Okamoto et al. (US Patent No. 5,602,625) and Knodt et al. (US Patent No. 5,987,535).

As to claim 1, Okamoto teaches:

an image forming section (128 in fig. 1) for forming an image in a plurality of operational modes (108-110 in fig. 4);

a display device (fig. 4) for displaying information on a screen thereof, the display device displaying information on a predetermined area of the screen in a plurality of colors in response to a color display signal (col. 6, lines 1-4; col. 21, line 65 through col. 22, line 3);

controller (143 in fig. 1) for determining the operational mode of the image forming apparatus and providing a color display signal to the display device the color to be displayed on the predetermined area of the screen (i.e., up and right corner of fig. 83-86, 88-91, 93-100) according to the determined operation mode (col. 21, lines 25-40; col. 27, lines 40-51 and col. 45, lines 15-26).

Although Okamoto does not teach color display to the display device is changed according to determined operation mode, Okamoto teaches there are different color values associating with the dynamic data are displayed in the display device (col. 21, lines 30-35 and col. 21, line 65 through col. 22, line 3 and col. 45, lines 15-26), it would have been obvious for changing the color on the display device according to the determined operation mode.

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Furthermore, Knodt also teaches more details how information signal is changed on the display device according to the determined operation mode (steps of 90-100 in fig. 14).

It would have been obvious to have modified the color displaying information of Okamoto in order to be changed on the display device according to the determined operation mode as taught by Knodt. The suggestion of modifying the system of Okamoto can be reasoned by one of ordinary skill in the art as set forth by Knodt because Knodt provides a technique of immediate presentation to an operator of the information values displays in the display means. Therefore, the system of Knodt is particular suited for an interactive computer graphics system of Okamoto in that it provides comfortable features to the user so that the user easily to control any function in the apparatus. Furthermore, the modified display device in the copier of Okamoto would increase the efficiency for providing the presentation of each operation mode to the user by using each color data to each predetermined portion on the screen for each operation mode.

As to claims 4-5, Knodt teaches copy mode (53 in fig. 2) and fax mode (56 in fig. 2) displayed in the display device (fig. 2).

As to claim 6, Okamoto teaches controller sets a background color of the predetermined area of the screen in response to the color display signal (col. 45, lines 15-26).

As to claim 9, Okamoto teaches program registration means for registering a plurality of combinations of image forming conditions; and setting means for setting an operational mode by calling a combination of image forming conditions registered by the program registration means (col. 21, lines 25-50).

As to claims 14, 19, and 22, due to the similarities of these claims to those of claims 1, 6, and 9, these claims are rejected as the reason and motivation applied to claims 1, 6, and 9.

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As to claims 17-18, due to similarity of these claims to those of claims 4-5, these claims are rejected as the reason and motivation applied to claims 4-5.

As to claim 33, due to the similarity of this claim to that of claim 1 including a memory device for storing color information in association with a plurality of identification codes (col. 35, lines 3-20) , this claim is rejected as the reason applied to claim 1.

As to claim 34, due to the similarity of this claim to that of claim 1, this claim is rejected as the reason applied to claim 1.

As to claims 35 and 36, due to the similarity of this claim to those of claims 1 and 4-5, this claim is rejected as the reason applied to claims 1 and 4-5.

As to claim 38, due to the similarity of this claim to that of claim 1 including setting means for setting the image processing condition, wherein the plurality of parameters are classified into a basic function and an application function (see fig. 14), this claim is rejected as the reason applied to claim 1.

As to claim 39, due to the similarity of this claim to that of claim 33 including selection means for selecting one of the plurality of programs stored in the memory device (col. 35, lines 2-8), this claim is rejected as the reason applied to claim 33.

Claims 2-3, 7-8, 10-12, 15-16, 20-21, 23-25 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Okamoto and Knodt as applied to claims 1 and 14, and Kajita (US Patent No. 5,999,708).

As to claims 2-3, the combination of Okamoto and Knodt teaches the feature in claim 1 except operator entering identification and the image forming section performing jobs is associated with one of modes.

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Kajita teaches input means for entering an identification signal for identifying an operator (704 in fig. 7, col. 5, lines 21-26), and the image forming section (117 in fig. 1) is capable of sequentially executing a plurality of jobs, and each job is associated with one of the plurality of operational modes (i.e., print mode 402 in fig. 4).

It would have been obvious to have modified the system of Okamoto and Knodt for entering the password by the operator and selecting the printing mode of a plurality of modes for executing the print job as taught by Kajita. The suggestion of modifying the system of Okamoto and Knodt can be reasoned by one of ordinary skill in the art as set forth by Kajita because Kajita provides a security function which just allow a particular operator to select a particular mode such as a printing mode for only executing the print job.

As to claims 10-12, the combination of Okamoto and Knodt teaches the feature in claim

1.

However, the combination of Okamoto and Knodt does not teach a second setting means regarding a second function in associated with a first setting means regarding a first function, and both function are simultaneously displayed in sectionalized regions in a display device.

Kajita teaches first setting means for setting an image forming condition regarding a first function (i.e., enlargement from copy mode 1501 in fig. 15), and second setting means regarding a second function (i.e., an adjusting arrow associated with enlargement from 1501 or number setting key 1506) in association with the first setting means (copy mode 1501); the first function and the second function are simultaneously displayed in sectionalized regions in a display device (i.e., fig. 5 indicating an enlargement key and an adjusting arrow key are simultaneously displayed in sectionalized regions).

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It would have been obvious to have modified the system of Okamoto and Knodt for display a second setting means regarding a second function in associated with a first setting means regarding a first function, and both function are simultaneously displayed in sectionalized regions in a display device as taught by Kajita. The suggestion of modifying the system of Okamoto and Knodt can be reasoned by one of ordinary skill in the art as set forth by Kajita because the modified display device of Okamoto and Knodt would increase the flexibility and the efficiency by providing a plurality of setting functions associated together and in the same window. The resultant systems allow the user easily to select a plurality of setting functions when these setting functions are displayed in the same window.

As to claims 7-8, due to similarity of these claims to those of claims 10-11, these claims are rejected as the reason and motivation applied to claims 10-11.

As to claims 15-16, 20-21, and 23-25, due to similarity of these claims to those of claims 2-3, 7-8 and 10-12, these claims are rejected as the reason and motivation applied to claims 2-3, 7-8 and 10-12.

As to claim 37, due to similarity of this claim to those of claims 1 and 10-11, these claims are rejected as the reason and motivation applied to claims 1 and 10-11.

(9) Response to Argument

① Appellant argued on page 8 of Argument that “ In the cited prior art, color is provided only on specific components of the guidance function. The Okamoto patent states at column 27, lines 40-51... This is repeated again at column 45, lines 15-26”. The argument has been fully considered but is not deemed to be persuasive because Okamoto clearly teaches that:

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1) with respect to column 27, line 41-52 and col. 45, lines 15-26, the displaying signals including different color data and other displaying forms data would be displayed based on the specified sections on the screen. The purpose for using differences of color data or other form data on the display device that is to help the inexperienced operator to easily recognize each operation sections on the screen (col. 27, lines 30-39);

2) The copying apparatus (fig. 1) further includes a controller (CPU 143 in fig. 1) for controlling a display controller (150 in fig. 1) for displaying the different displaying signals such as displaying color signals to the portions of the display device (i.e., LCD 102 in fig. 1; col. 21, line 65 to col. 22, line 3);

3) The portions of the display device includes a plurality of operation keys, which are representative of the operation modes, such as copy mode setting section 112 for setting a copy mode such as the both-sided mode and one-sided mode (col. 20, lines 34-49). Furthermore, the display screen (fig. 84) includes the portions on the screen for a copying magnification mode or a copying density mode or a paper trays mode which are representative of a plurality of operation modes (please see information on the screen in fig. 81 and col. 34, lines 57-65).

Therefore, Okamoto clearly teaches the use of different colors (col. 44, lines 56-67) into the portions of the screen (i.e., the operation modes such as a copying magnification area and a copying density area in fig. 84).

② Appellant argued on page 8 of Argument that “ In addition, the colors in the Okamoto patent are only changed in accordance with the picture being displayed. There is nothing in the Okamoto or Knodt patent that shows or suggests control of the color of a predetermined area of a display in accordance with an operational mode”. The argument has been fully considered but is

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not deemed to be persuasive because Okamoto teaches the pictures are displayed on the LCD 102 such as the copying magnification mode, the copying density mode or the paper trays mode which are representative of a plurality of operation modes (please see fig. 81 and col. 34, lines 57-65). Each of pictures (i.e., the copying magnification mode, the copying density mode or the paper trays mode in fig. 84) locates in predetermined portion on the screen. The portions (or the operation modes) on the screen are displayed in the different colors (col. 44, lines 56-67). Therefore, colors displaying data are changed to each portion (or each operation mode) in the screen (col. 44, lines 56-67).

Okamoto clearly teaches colors of the operation sections (i.e., the operation designating section and operation inhibit section) are not limited to *blue and red* (col. 27, lines 41-43) and, colors of the operation sections (i.e., the operation designating section and the non-operation section) without being limited to *red and black* (col. 45, lines 15-19). Okamoto clearly teaches the operation section including the operation modes on the predetermined areas (i.e., the copying magnification mode, the copying density mode or the paper trays mode in fig. 84), is determined and displayed in a changing color based on the different operation sections (i.e., using color blue, red or red, black in col. 27, lines 41-43 and col. 45, lines 15-19).

③ Appellant argued in page 9 of Argument that "there is absolutely no suggestion in the Okamoto or Knodt patent to provide a change in any color on the display according in response to a determined operational mode" and "the rejection cites no teaching or suggestion in any reference to change the color of a predetermined area according to the operation mode". The argument has been fully considered but is not deemed to be persuasive because Okamoto teaches the CPU 143 incorporating with LCD controller 150 (col. 21, lines 25-27) determines the color

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information of the predetermined areas on the screen (i.e., col. 44, lines 63-67 and col. 21, line 65 to col. 22, line 3 teaches the using of the color data to portions on the screen and takes out displaying colors signals to those portions). However, Okamoto does not teach the LCD controller 150 how to determine the type of the displaying color signal in order to apply to the type of the operation mode.

Knodt, in the same field of endeavor "image display device", also teaches how a display device changes the displaying signals based on the type of the operation mode. Knodt teaches the display device (fig. 5) displays a copy operation mode (65 in fig. 5) and a print operation mode (64 in fig. 5). Knodt teaches the copy operation mode or the print operation mode (col. 5, lines 22-24), are determined (i.e., block 92 in fig. 14), then these features of the copy operation mode and the print operation mode are *highlighted with animation* on the screen (i.e., block 94 in fig. 14). If other operation modes (i.e., the features 3, 4 or 5 in block 96) are determined (in block 96 in fig. 14), then they are *highlight* on the screen (i.e., block 98 in fig. 14 and col. 5, lines 29-32). The displaying signal for the operation modes in block 98 (fig. 14) that is different with the displaying signal for the operation modes in block 94 (fig. 14). Therefore, the displaying signals (i.e., blocks 94 and 98 in fig. 14) are changed on the screen based on the type of the determined operation mode (i.e., blocks 92 and 96 in fig. 14).

Therefore, the above teaching of Knodt would be applied to the displaying signals such as color signals of Okamoto in order to change the specified displaying color signal to the specified portion on the screen based on the type of the operation mode. Or the color signal in Okamoto would be applied to the specified displaying signal in Knodt in order to display on the predetermined portion based on the type of the operation mode. The resultant of the combination

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systems would increase the efficiency for providing the presentation of each operation mode to the user by using each color data to each predetermined portion on the screen for each operation mode; and using each highlight signal associated with each color signal to the predetermined area based on the each operation mode would be more efficiency for providing the presentation to the user.

④ Appellant argued in page 13 of Argument that “ the cited prior art does not show or suggest changing the color displayed in an area of the display device in response to any operational aspect of the device, much less according to the identification of which setting means set a parameter” The argument has been fully considered but is not deemed to be persuasive because the teaching of Kajita, which modifies to the change of colors in Okamoto, shows input means for entering an identification signal for identifying an operator (704 in fig. 7, col. 5, lines 21-26), and the image forming section (117 in fig. 1) is capable of sequentially executing a plurality of jobs, and each job is associated with one of the plurality of operational modes (i.e., print mode 402 in fig. 4).

Appellant argued in pages 10 to 13 of Argument section that the cited prior art does not show or suggest the limitations of the independent claims 14, 33, 34, 35, 38, and 39. However, these claims include the same limitations as claim 1. The combination of the cited prior art of Okamoto and Knodt, discussed above for the limitations of claim 1, are applied to the same limitations in claims 14, 33, 34, 35, 38, and 39.

For the above reasons, it is believed that the rejections should be sustained.

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Respectfully submitted,

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DT
April 3, 2003


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